THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23839 OF 2005

Dt.8.11.2005

Between:

K.Nageendra

… Petitioner

And

The State of Andhra Pradesh, rep. by its

Principal Secretary, Home Department,

Secretariat, Hyderabad and 3 others. … Respondents

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The petitioner seeks to issue a writ of mandamus declaring the action of the 2nd respondent in not considering the representation dated 5.9.2005 for providing Gunman on payment basis to him as illegal and arbitrary.

It is stated that the petitioner is resident of Tuggali Village, Tuggali Mandal, Kurnool District and he is also practicing advocate and active leader of Telugu Desam Party in Pattikonda Constituency in Kurnool District. In the year 1989, his father and one Boya Venkatramudu, follower of his father, was murdered by M.Prathap

Reddy and his followers who are active Congress Party workers in Tuggali. After the death of his father, there are several attempts to eliminate the petitioner also. Therefore, he made an application for providing Gunman on payment basis and accordingly the 2nd respondent provided Gunman for the last ten years i.e., upto 17.7.2004. Thereafter, due to political change the said Gunman facility was discontinued and no Gunman is provided. It is also stated that pursuant to the request of the petitioner for providing Gunman on payment basis, the 2nd respondent also issued notice for payment of costs in the State Bank of India, but due to misguidance he could not deposit the same. It is stated that the petitioner made a representation to the 2nd respondent on 29.8.2005 and 5.9.2005 requesting to provide Gunman facility on payment of costs. But the said representations have not been considered.

Having regard to the facts and circumstances of the case, the 2nd respondent – Superintendent of Police, Kurnool, is directed to consider the representation made by the petitioner on 5.9.2005 for providing Gunman facility on payment basis in accordance with law and pass appropriate orders within two weeks from the date of receipt of copy of this order.

The writ petition is accordingly disposed of. No costs.

(V.ESWARAIAH, J.)

8.11.2005

Note: Issue copy within three days

B.O.

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